

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
HOUSTON DIVISION

GUIDER PROPERTIES, INC.,

Plaintiff,

v.

MOHAMMAD A. HASHMI and ALL
OCCUPANTS of condo unit at 7714
Renwick Apt, 116, Houston, TX 77081,

Defendants.

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CIVIL ACTION NO. H-06-3980

MEMORANDUM AND ORDER

Plaintiff Guider Properties, Inc. filed a forcible detainer action against Defendant Hashmi in state court and obtained a default judgment there. Mr. Hashmi subsequently filed a notice of removal and came to be heard before this Court.

Mr. Hashmi's removal is procedurally defective because the state court case in which he was named as Defendant proceeded to final judgment before his notice of removal was filed. Because a final judgment had already been rendered in the state case, no case remained for Mr. Hashmi to remove. Thus, this Court has no subject matter jurisdiction over the matter before it.

Furthermore, under the *Rooker-Feldman* doctrine, this Court does not have jurisdiction to entertain a collateral attack on a state court civil judgment. See *Exxon Mobil Corp. v. Saudi Basic Indus. Corp.*, 544 U.S. 280, 284 (2005) (affirming that district courts do not have jurisdiction over cases "brought by state-court losers complaining of injuries caused by state-court judgments rendered before the district court proceedings commenced and inviting district court review and rejection of those judgments.").

For both of these reasons, this case must be **DISMISSED** for lack of subject matter jurisdiction. All pending motions are **DENIED AS MOOT**.

IT IS SO ORDERED.

SIGNED this 25th day of June, 2007.



KEITH P. ELLISON
UNITED STATES DISTRICT JUDGE

TO INSURE PROPER NOTICE, EACH PARTY WHO RECEIVES THIS ORDER SHALL
FORWARD A COPY OF IT TO EVERY OTHER PARTY AND AFFECTED NON-PARTY
EVEN THOUGH THEY MAY HAVE BEEN SENT ONE BY THE COURT